



**JAN BREWER**  
**SECRETARY OF STATE**  
**STATE OF ARIZONA**

October 28, 2008

C.H. Huckelberry, County Administrator  
Pima County Administrator's Office  
130 W. Congress  
Tucson, Arizona 85701-1317

Dear Mr. Huckelberry:

Thank you for your response to my letter dated September 24, 2008, including your accounting of the uncounted ballots in Pima County during the September 2, 2008 primary election, and your reason why these ballots were not discovered until after the canvass was complete.

I find it somewhat alarming that your attached report to the Pima County Board to Supervisors assures the public that the election results in Pima County will once again be substantially delayed because of ill-advised procedures followed only by Pima County. As I predicted in my letter to you dated June 5, 2008, it is no surprise that Pima County was subjected to a crushing amount of media and public criticism after the delayed results following the September 2, 2008 primary election. The same will reoccur following the election next week unless Pima County reverses its course.

As I previously noted, these delays are caused by your ill advised decision to discontinue modeming results from the polling places. Rather than learning from your recent errors your report specifies that these delays will continue. I urge you to once again modem results on election night like every other county in the State.

I take issue with your statement that "[n]o other county in Arizona, and quite probably the West, has an election process as open and transparent as Pima County". The truth is your procedures resulted in uncounted ballots and unnecessary tabulation delays-- problems experienced by no other county in Arizona, and perhaps the West. Your baseless claim strikes me as nothing more than political rhetoric that is unbecoming of an election administrator.

You note that your policy not to modem results exists because the county party chairs cannot agree on this practice. It is disappointing that I must remind you that the party chairs do not run elections in our State. In essence, you are abdicating your responsibility to run orderly and efficient elections directly to partisan individuals who have no business dictating the terms of election administration.

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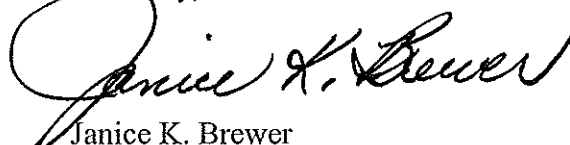
While political parties play an important role in our elections, deciding how elections should be run is not one of them. The parties have a vested interest in the outcome of most races on the ballot. You must stop this practice immediately and do your job according to our State laws and procedures.

In reviewing your most recent report, I was absolutely appalled to learn of your decision to defer the tabulation of votes cast on your accessible voting devices until the day following the election "because so few votes are cast on [these machines]". This delayed tabulation of votes cast by individuals with disabilities would not be necessary but for your sole decision to discontinue modeming results from the precincts. Moreover, I'm certain the leaders of the disability community would have very serious concerns about this procedure for reasons too obvious to state in this letter.

With regards to your efforts to improve poll worker accountability, I applaud the goal, but I question your proposed methods. Although you assert your "scorecard" of poll worker performance is not meant to criticize, I fear this is precisely how it will be perceived. Moreover, I am deeply troubled by your decision to disclose the identity of poll workers at each precinct. This is a recipe for harassment by the seemingly ubiquitous election critics in Pima County and it works against my efforts and the efforts of the other county election officials to recruit good people to work the polls. Mr. Huckelberry, on this issue, the poll workers are not the problem in Pima County. It is time for the leaders and administrators in Pima County to take responsibility for their actions and shortcomings.

In conclusion, I once again urge you to carefully consider your actions, and re-read the concerns I clearly raised in my June 5, 2008 letter. I most sincerely hope you will reconsider your most recent recommendations as outlined in your report to the Pima County Board of Supervisors. There is simply no reason why the election results should be delayed in Pima County, no reason to delay tabulation of votes cast by persons with disabilities, and no reason to harass volunteer poll workers. Please take steps to assure that this does not occur following our general election on November 4, 2008.

Sincerely,

A handwritten signature in black ink, appearing to read "Janice K. Brewer". The signature is fluid and cursive, with a large loop at the beginning.

Janice K. Brewer  
Arizona Secretary of State

JKB/kt